

19880404

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

MONDAY, APRIL 4, 1988

AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:11 p.m.
Mayor O'Connor adjourned the meeting at 6:50 a.m. to meet in Closed
Session in the twelfth floor conference room at 9:00 a.m., Tuesday,
April 5, 1988, on pending and potential litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-excused by R-270576
(City business in Singapore,Indonesia,Malaysia)
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Chaplain Tom Leslie, San Diego
Life Ministries.

FILE LOCATION: MINUTES

Apr-4-1988

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Pratt.

FILE LOCATION: MINUTES

ITEM-30: PRESENTED

Presentation by the American Institute of Architects
awarding the City of San Diego the Citation for Excellence
in Urban Design for the Mid-City Planned District Project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A039-055)

MOTION BY McCARTY TO ACCEPT THE AWARD. Second by Pratt. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: PROCLAIMED

Proclaiming April 24 through April 30, 1988 to be "American
Home Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A065-150)

BY COMMON CONSENT THE PROCLAMATION WAS MADE. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

Apr-4-1988

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

3/7/88

3/8/88

3/8/88 Special

3/10/88 Special
3/14/88
3/15/88
3/15/88 Special
3/15/88 Special Night

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A157-160.)

MOTION BY STRUIKSMA TO APPROVE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: GRANTED HEARING APRIL 26, 1988, 2:00 P.M.

Matter of the request of Pardee Construction Company, by Michael D. Madigan, Sr. Vice President, for a hearing of an appeal from the decision of the Board of Zoning Appeals in denying their request to:

- (1) maintain and extend a variance for a period of two years (Case C-10092, originally granted in 1970) for a sales office, model homes, parking lot and signs for sale of homes in subdivision other than the site of the sales office (Mesa Classic subdivision, Map-11898);
- (2) The subject property is located at 10689 Mira Mesa Boulevard, zoned R1-5000 and is more particularly described as Lots 115, 121-124 Mira Mesa Verde No. 2, Map-6465, Lots 127-134 Mira Mesa Verde No. 3, Map-6466.
(Case C-10092. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: ZONE Zoning Appeals Case C-10092

COUNCIL ACTION: (Tape location: A160-170.)

MOTION BY STRUIKSMA TO GRANT THE HEARING ON THE FINDING THAT THE MATTER IS OF CITYWIDE INTEREST. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: GRANTED HEARING APRIL 26, 1988, 10:00 A.M.

Matter of the requests of Sierra Club, San Diego Chapter, by Emily A. Durbin, and Friends of the San Dieguito River Valley, by Alice A. Goodkind, for a hearing of appeals from the decision of the Planning Commission in granting Planned Residential Development Permit PRD-86-0897 and Vesting Tentative Map VTM-86-0897 (Bernardo Vista del Lago), proposing to construct an 886-unit attached multi-family development on a Planned Residential Development net site area of 137.9 acres on a 30-lot subdivision. The project also includes a commercial retail center (approximately 3,600 square feet) and a main recreational facility with swimming pool and tennis courts. The subject property is located on the east side of I-15, south and west of Pomerado Road, in Zones A-1-1, R1-20000 and Hillside Review Overlay (proposed Zones A-1-1, R-3000 and Hillside Review Overlay), in the Rancho Bernardo Community Plan area. The subject property is further described as Parcel 3 of Parcel Map PM-12542.

(PRD & VTM-86-0897. District-1.)

A motion granting or denying the request for a hearing of the appeals.

FILE LOCATION: PERM PRD-86-0897 SUBD Bernardo Vista del Lago

COUNCIL ACTION: (Tape location: A170-178.)

MOTION BY WOLFSHEIMER TO GRANT THE HEARING ON THE FINDING THAT THE MATTER IS OF CITYWIDE INTEREST. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-88-140 Rev.1) ADOPTED AS ORDINANCE O-17046 (New Series)

Amending Chapter II, Article 2, Division 2, of the San Diego Municipal Code by amending Section 22.0226 relating to the hiring of consultants.

(Introduced on 3/21/88. Council voted 5-0. Districts 3, 4, 5 and 8 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND
ADOPT. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-51: (O-88-156) ADOPTED AS ORDINANCE O-17047 (New
Series)

Amending Chapter IV, Article 2, Division 4, of the San
Diego Municipal Code by adding Sections 42.0400, 42.0401,
42.0402, 42.0403, 42.0404, 42.0405, 42.0406, 42.0407,
42.0408, 42.0409, 42.0410, 42.0411, 42.0412, 42.0413,
42.0414, 42.0415, 42.0416, 42.0417, 42.0418, 42.0419,
42.0420, 42.0421, 42.0422, 42.0423 and 42.0424 relating to
Bathhouses.

(Introduced on 3/22/88. Council voted 8-0. District 4 not
present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND
ADOPT. Second by McCarty. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-52: (O-88-131) ADOPTED AS ORDINANCE O-17048 (New
Series)

Amending Chapter VIII, Article 6, Division 20, of the San
Diego Municipal Code by amending Sections 86.28 and 86.29
relating to post-storage hearings for impounded vehicles.

(Introduced on 3/21/88. Council voted 5-0. Districts 2,
3, 4, and 5 not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

- * ITEM-53: (O-88-138) ADOPTED AS ORDINANCE O-17049 (New Series)

Amending Chapter X, Article 2, Division 4, of the San Diego Municipal Code by amending Section 102.0406.10 relating to Collection and Distribution of Fees - Maintenance of Park Service Districts Map.

(Introduced on 3/14/88. Council voted 9-0.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

- * ITEM-54: (O-88-107 Rev.1) ADOPTED AS ORDINANCE O-17050 (New Series)

Amending Chapter X, Article 3, Division 6, of the San Diego Municipal Code by amending Section 103.0601 relating to the North City West Planned District.

(Introduced on 3/22/88. Council voted 9-0.)

FILE LOCATION: LAND North City West Planned District

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-55: (O-88-54) ADOPTED AS ORDINANCE O-17051 (New Series)

Amending Section 1 of Ordinance O-16203 (New Series), adopted May 14, 1984, incorporating a portion of Pueblo Lot 1101, Miscellaneous Map-36, a 1.6-acre site located on the north side of Friars Road, between Napa and Benicia Streets, into CO Zone; extension of time to June 14, 1990. (Introduced on 3/22/88. Council voted 8-0. District 4 not present.)

FILE LOCATION: ZONE Ord. No.

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-56: (O-88-116 Rev.1) ADOPTED AS ORDINANCE O-17052 (New Series)

Amending Ordinance O-16855 (New Series), adopted May 4, 1987, limiting the issuance of building permits and demolition permits in portions of Uptown, to extend the effective date one year and to require consistency with the revised Uptown Community Plan. (Introduced on 3/15/88. Council voted 8-0. District 2 not present.)

FILE LOCATION: LAND Uptown Community Plan

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-57: (O-88-249) ADOPTED AS ORDINANCE O-17053 (New Series)

Approving the first amendment to the Development Agreement between the City of San Diego and Lomas Santa Fe, Inc.;

Theodore E. Gildred; Lankford Partnership II Ltd; Allstate Insurance Company; Regents Park Development Associates Ltd. Partnership; Paine Webber Growth Partners Three L. P.; Regents Park Financial Centre, Ltd.; and Regents Park Lot 6 Ltd.

(University Community Area. District-1. Introduced on 3/22/88. Council voted 8-0. Mayor not present.)

FILE LOCATION: DEVL Regents Park CONFY88-1

COUNCIL ACTION: (Tape location: (B291-335.)

CONSENT MOTION BY STRUIKSMA TO DISPENSE WITH THE READING AND ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-88-1528) ADOPTED AS RESOLUTION R-270605

Awarding a contract to Simon-Ladder Towers, Inc. for the purchase of one 95-foot aerial ladder platform apparatus, for a total cost of \$477,900.15, including tax and contingency; providing for a contingency cost of not to exceed \$21,430.50, or five percent of the bid price, for changes as may be necessary during the manufacturing process; authorizing the expenditure of an amount not to exceed \$477,900.15 from CIP-33-028, Fire Station No. 41 - Mira Mesa (FBA Fund 79006 - Mira Mesa) for the acquisition of fire apparatus; authorizing the Auditor and Comptroller, upon advise from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-9371) Aud. Cert. 8800820.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-88-1543) ADOPTED AS RESOLUTION R-270606

Awarding a contract to Imperial West Chemical Company for furnishing Ferric Chloride, as may be required for a period of one year beginning May 1, 1988 through April 30, 1989, for an estimated cost of \$437,000, with an option to renew the contract for an additional one-year period, with a price escalation not to exceed 15 percent of bid price.
(BID-9530)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-88-1546) ADOPTED AS RESOLUTION R-270607

Awarding a contract to Hawthorne Machinery Company for lease of two heavy duty self-propelled landfill compactors, as may be required for a period of one year beginning April 1, 1988 through March 31, 1989, for an estimated cost of \$182,000, including tax, with options to renew the contract for four additional one-year periods and options to purchase at the end of each lease year. (BID-9436)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-88-1547) ADOPTED AS RESOLUTION R-270608

Awarding contracts for furnishing super rapid dry water borne traffic paint, as may be required for a period of two years beginning April 1, 1988 through March 31, 1990, for an estimated cost of \$104,732.10, including tax; as follows: (BID-9568)

1. Pervo Paint Co. dba/Colorama Paint for Item 2 - Yellow Traffic Paint, Cold, with options to renew the contract for two additional one-year periods, with price escalation not to exceed 10 percent of the price in effect at the end of each prior year;
2. John C. Henberger Co. for Item 1 - White Traffic Paint, Cold, with options to renew the contract for two additional one year periods, with price escalation not to exceed 20 percent of the price in effect at the end of each prior year.

FILE LOCATION: MEET CONFY88-2

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-88-1796) ADOPTED AS RESOLUTION R-270609

Awarding a contract to Pacific Pipe for the purchase of miscellaneous asbestos cement pipe and fittings, as may be required for a period of one year beginning May 1, 1988 through April 30, 1989, for a total estimated cost of \$66,800, including tax and terms, with options to renew the contract for two additional one-year periods, with price increases not to exceed 5 percent of prices in effect at the end of the prior year. (BID-9484)

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-88-1795) ADOPTED AS RESOLUTION R-270610

Rescinding the contract with Labrie Equipment Ltd. for the purchase of side loader, refuse packers, Item 1 - 7 Refuse Packers, 18 Cubic Yard, Side Loader, authorized by

Resolution R-269932, adopted December 7, 1987; accepting the next lowest bid and awarding a contract to Refuse Trucks, Inc.; authorizing the City Manager to execute a contract for Item 1 - 7 Refuse Packers, 18 Cubic Yards, Side Loader (RTi/Low Entry with Amrep Sideloaders), for a total cost of \$521,656.17, including tax and terms.

(BID-9278)

Aud. Cert. 8800848.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-88-1544) ADOPTED AS RESOLUTION R-270611
19880404

Inviting bids for Carpet Installation on the 8th Floor of the City Administration Building, on Work Order No. 119147; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$36,000 from General Fund Allocated Reserve, Fund 10001, Dept. 901, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in General Fund Allocated Reserve Fund.

(BID-9612)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The eighth floor of the City Administration Building was last carpeted in 1983. The carpet is worn and stained in many areas.

Aud. Cert. 8800826.

FILE LOCATION: W.O. 119147 CONT Chrones - Garrett Inc.
DBA Allied Carpet & Linoleum Company
CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-88-1542) ADOPTED AS RESOLUTION R-270612

Inviting bids for furnishing and delivering lubricating
oils and greases, as may be required for a period of one
year beginning June 16, 1988 through June 15, 1989, with an
option to renew the contract for an additional one-year
period; authorizing the execution of contract with the
lowest responsible bidder. (BID-9601)

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-88-1797) ADOPTED AS RESOLUTION R-270613

Declaring that the City Council finds that the Harper
Company has failed to perform satisfactorily on City
contracts and therefore declares the Harper Company to be a
non-responsible bidder and ineligible to bid on City work
for a period of three years pursuant to San Diego Municipal
Code Section 22.0514.

(See City Manager Report CMR-88-173.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-109:

Four actions relative to the final subdivision map of Del
Mar Highlands Town Center Unit No. 1, a 10-lot subdivision

located southeasterly of Del Mar Heights Road and El Camino
Real:
(North City West Community Area. District-1.)

Subitem-A: (R-88-1901) ADOPTED AS RESOLUTION R-270614
Authorizing the execution of a Subdivision Improvement
Agreement with Pardee Construction Company for the
installation and completion of public improvements.

Subitem-B: (R-88-1900) ADOPTED AS RESOLUTION R-270615
Approving the final map.

Subitem-C: (R-88-1902) ADOPTED AS RESOLUTION R-270616
Approving the acceptance by the City Manager of a
pedestrian and non-motor vehicular right-of-way deed of
Pardee Construction Company, granting to the City an
easement for pedestrian and non-motor vehicular
right-of-way in portions of the Northeast Quarter of the
Southwest Quarter of Section 18, Township 14 South, Range 3
West, S.B.M.

Subitem-D: (R-88-1903) ADOPTED AS RESOLUTION R-270617
Authorizing the execution of an agreement with Pardee
Construction Company for the construction of a pedestrian
overpass.

FILE LOCATION:

Subitems A, B, and D SUBD Del Mar Highlands
Town Center Unit No. 1;

Subitem-C DEED

F-4403 CONFY88-2 DEEDFY88-1

COUNCIL ACTION: (Tape location: F261-293.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Struiksma. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Three actions relative to the final subdivision map of
McMillin Scripps Four, a 41-lot subdivision located
northeasterly of I-15 and Pomerado Road:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-88-1886) ADOPTED AS RESOLUTION R-270618
Authorizing the execution of Subdivision Improvement
Agreement with McMillin Scripps Two for the installation
and completion of public improvements.

Subitem-B: (R-88-1885) ADOPTED AS RESOLUTION R-270619
Approving the final map.

Subitem-C: (R-88-1887) ADOPTED AS RESOLUTION R-270620
Approving the acceptance of grant deeds of McMillin Scripps
Two, granting to the City Lot 40 of McMillin Scripps Four
and Lot "A" of McMillin Scripps Four.

FILE LOCATION:

Subitems A and B SUBD McMillin Scripps Four;

Subitem-C DEED F-4404 CONFY88-1
DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111:

Two actions relative to the final subdivision map of North
City West Neighborhood 7 Unit No. 6B, a 5-lot subdivision
located northeasterly of Del Mar Heights Road and El Camino
Real:
(North City West Community Area. District-1.)

Subitem-A: (R-88-1760) ADOPTED AS RESOLUTION R-270621
Authorizing the execution of a Subdivision Improvement
Agreement with Pardee Construction Company for the
installation and completion of public improvements.

Subitem-B: (R-88-1759) ADOPTED AS RESOLUTION R-270622
Approving the final map.

FILE LOCATION: SUBD North City West Neighborhood 7 Unit No.
6B CONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-88-1875) ADOPTED AS RESOLUTION R-270623

Vacating portion of Chollas Parkway southwest of University
Avenue and adjacent to Lots 2-4 of Map-6711 and Lot 29 of
Map-734 to facilitate development of their properties,
under the procedure for the summary vacation of streets
where the portions of the street to be vacated are excess
rights-of-way not required for street or highway purposes;
reserving and excepting from the foregoing vacation the
permanent easement; reserving and excepting from the
foregoing vacation the right, easement and privilege of
placing, constructing, repairing, replacing, maintaining,
using and operating public utilities of any kind or nature;
declaring that the easements reserved herein are in, under,
over, upon, along and across that portion of Chollas
Parkway indicated as Parcel "B"; declaring that this
resolution shall not become effective unless and until the
following conditions have been met:

- a. Consummation of the required land sale(s) of the
portions of Chollas Parkway vacated per this document.
- b. Completion of required parcel map(s).

In the event the above items are not completed by April 14,
1992, this resolution shall become void and be of no

further force or effect; directing the City Engineer to advise the City Clerk of the approval of the aforementioned subdivision map.

(See City Manager Report CMR-88-171. Mid-City Community Area. District-3.)

FILE LOCATION: STRT J-2680 DEED F-4405 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-88-1747) ADOPTED AS RESOLUTION R-270624

Approving the acceptance by the City Manager of those easement deeds of Cambridge Terrace conveying to the City easements for open space, water, sewer and emergency access in portions of Nobel Terrace Unit No. 1, Map-9539, and in portions of Nobel Terrace Unit No. 5, Map-10465; authorizing the execution of a quitclaim deed, quitclaiming to Cambridge Terrace all the City's right, title and interest in the open space, water, emergency access and drainage easements in all those portions of Nobel Terrace Unit No. 1, Map-9539, and Nobel Terrace Unit No. 5, Map-10465.

(University Community Area. District-1.)

FILE LOCATION: DEED F-4406 DEEDFY88-6

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-88-1746) ADOPTED AS RESOLUTION R-270625

Approving the acceptance by the City Manager of that easement deed of Scripps Ranch Self Storage, Ltd., conveying to the City drainage and access easements in a portion of Lot 3 of Scripps Mesa Vista, Map-9673; quitclaim

deed, quitclaiming to Scripps Ranch Self Storage Ltd. all of the City's right, title and interest in the drainage and access easements in Lot 3 of Scripps Mesa Vista, Map-9673. (Scripps Miramar Ranch Community Area. District-5.)

FILE LOCATION: DEED F-4407 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-88-1920) ADOPTED AS RESOLUTION R-270626

Approving the acceptance by the City Manager of that deed of Sixth Avenue Joint Venture, conveying to the City a drainage easement in Lot 7, Block 7 of Brookes Addition, Map-596; authorizing the execution of a quitclaim deed, quitclaiming to Sixth Avenue Joint Venture, all the City's right, title and interest in the sewer easement in Lot 8, Block 7 of Brookes Addition, Map-596.

(Uptown Community Area. District-8.)

FILE LOCATION: DEED F-4408 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-88-1772) ADOPTED AS RESOLUTION R-270627

Vacating the City's interest in an unneeded water, sewer, drainage and public utilities easement affecting Lot 2 of College Terrace Subdivision, Map-4103, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(East San Diego Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Application has been received by the Engineering and Development Department for the abandonment of a four-foot-wide easement designated for water,

sewer, drainage, and public utilities purposes in Lot 2 of College Terrace. The property lies easterly of College Avenue on the north side of El Cajon Boulevard in East San Diego. The easement was acquired at no cost to the City in 1959 by recordation of the map of College Terrace and has never been used. All cognizant City departments and public utility agencies are in agreement that there is no present or future need for the City to retain the easement, and it is therefore recommended that a Resolution of Abandonment be adopted by the City Council.

WU-PR-88-114.

FILE LOCATION: DEED F-4409 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117: (R-88-1762) ADOPTED AS RESOLUTION R-270628

Vacating the City's interest in an unneeded drainage easement affecting Lots 13, 14, 15 and 16, in Block 13, Marilou Park, Map-517, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: Site 10A is currently being prepared for sale by public auction, as per its land use designation. An old title report indicated a 1929 drainage easement encumbering the property. A more recent report did not show said easement. We prefer, in the event of sale, that the transferred title be free of such encumbrances if they are no longer valid. The matter was reviewed by the Engineering and Development Department's Street and Drainage Section. They had no record of said easement. Upon further investigation, they indicated they anticipated no present or future use for such an easement and saw no need to retain it. A recommendation is herewith made that said obsolete easement be vacated by Council resolution.

FILE LOCATION: DEED F-4410 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118: (R-88-1791) ADOPTED AS RESOLUTION R-270629

Excusing Council Member H. Wes Pratt from the City Council
Meetings of March 21 and March 22, 1988, for the purpose of
attending the National League of Cities Congressional
Conference.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-88-1766) ADOPTED AS RESOLUTION R-270630

Approving and adopting the recommendation contained in IRD
Report IRD-88-6, to oppose AB 2802 (Hill) regarding levying
taxes on the possessory interest in public rights-of-way
franchised to cable television companies.
(See Intergovernmental Relations Department Report
IRD-88-6.)

COMMITTEE ACTION: Reviewed by RULES on 3/2/88. Recommendation
to adopt the IRD recommendation to oppose AB 2802. Districts 1,
2, 7 and Mayor voted yea. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120: (R-88-1740) ADOPTED AS RESOLUTION R-270631

Appointing and designating as the Management Team for purpose of meeting and conferring with recognized employee organizations, pursuant to appropriate and applicable provisions of law and Council Policy, the following persons:

John Lockwood, City Manager
Jack McGrory, Deputy City Manager
Bruce Herring, Labor Relations Manager
John M. Kaheny, Deputy City Attorney
Josiah Neeper, Attorney-at-Law

Appointing and designating the Personnel Director as a member of the Management Team, pursuant to the above-cited provisions of law and Council Policy, for all purposes except meeting and conferring with employee organizations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121: (R-88-1779) ADOPTED AS RESOLUTION R-270632

Expressing appreciation and gratitude to Barbara Krumvieda for her invaluable contributions to the Mission Valley Community Planning Program and dedication to the future of our City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122:

Two actions relative to the partial release of surety and time extension for Carmel Valley Unit No. 1:
(North City West Community Area. District-1.)

Subitem-A: (R-88-1888) ADOPTED AS RESOLUTION R-270633

Authorizing the City Manager to release a portion of the surety issued by Developers Insurance Company in the form of Performance Bond Nos. 911663S, 911664S, 911665S, 911666S, 911667S and 911668S, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$102,708, \$92,388, \$78,665, \$137,707, \$222,645 and \$143,740, respectively, for a total cost of \$777,853;
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$51,354, \$46,194, \$39,332.50, \$68,853.50, \$111,322.50 and \$71,870, respectively, for a total of \$388,931.

Subitem-B: (R-88-1889) ADOPTED AS RESOLUTION R-270634

Granting an extension of time to February 2, 1989 to Baldwin Building Company, subdivider, to complete the improvements required in Carmel Valley Unit No. 1

CITY MANAGER SUPPORTING INFORMATION: On October 14, 1985, the City entered into an agreement with Baldwin Building Company for the construction of public improvements for Carmel Valley Unit No. 1. Performance Bond Numbers 911663S, 911664S, 911665S, 911666S, 911667S, and 911668S, issued by Developers Insurance Company in the amount of \$2,479,213 were provided by the subdivider. The agreement expired October 14, 1987. The subdivider has requested a partial release of surety and an extension of time to February 2, 1989, in which to complete the required improvements. Ninety-one and one-half (91.5) percent of the work has been completed to the satisfaction of the City Engineer. The work remaining includes improvements to the cul-de-sac adjacent to the model complex. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore,

\$1,701,360 of the original surety will be released which will reduce the surety to \$777,853.

FILE LOCATION: SUBD Carmel Valley Unit No. 1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-123: (R-88-1783) ADOPTED AS RESOLUTION R-270635

Authorizing the City Manager to release a portion of the surety for the Reversionary Map of Northeast University City Unit No. 1, issued by Security Pacific National Bank in the form of a Letter of Credit No. SD 8013SBY, so that the same is reduced as follows:

1. For faithful performance to the sum of \$444,755;
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$222,377.50

(Located southeasterly of Genesee Avenue and La Jolla Village Drive. University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On February 5, 1986, the City issued Engineering Permit No. W-31029 to FSLIC, c/o Palmieri Company, for the construction of public improvements for Nobel Drive. Letter of Credit No. SD 8013SBY, issued by Security Pacific National Bank, in the amount of \$1,644,412, was provided by the subdivider. Ninety-seven (97) percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, \$1,199,657 (73 percent) of the original surety will be released which will reduce the surety to \$444,755.

FILE LOCATION: SUBD Northeast University City Unit No. 1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-88-1884) ADOPTED AS RESOLUTION R-270636

A Resolution approved by the City Council in Closed Session
on Tuesday, March 15, 1988 by the following vote:

Wolfsheimer-yea; Roberts-not present; McColl-yea;
Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea;
Filner-yea; Mayor-yea.

Authorizing the City Manager to execute a Contract Change
Order No. 11, issued in connection with the contract
between the City of San Diego and Metro-Young Construction
Co./Lopez Sewer Contractors, Inc. for the construction of
Jackson Drive, said contract having been filed in the
Office of the City Clerk as Document No. RR-259592;
authorizing the City Manager to pay the sum of \$150,000 in
consideration of Change Order No. 11 and in settlement of
the case, Metro-Young Construction Co./Lopez Sewer
Contractors, Inc., a joint venture v. City of San Diego, et
al., Superior Court Case No. 551951; authorizing the City
Auditor and Comptroller to expend the sum of \$150,000 from
Fund 30245, CIP-52-122.0, payable to Metro-Young
Construction Co./Lopez Sewer Contractors, Inc., and Anthony
Caputo, its attorney of record, as the final payment
towards full settlement of any and all claims and
conditions under the contract and lawsuit.

CITY MANAGER SUPPORTING INFORMATION: This settlement and
payment represents complete and final settlement of this
litigation.

Aud. Cert. 8800857.

FILE LOCATION: CONT Metro-Young Construction Co./Lopez
Sewer Contractors, Inc.

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-125: (R-88-1905) RETURNED TO CITY MANAGER

Authorizing the sale of a portion of Pueblo Lots 1286 and 1287 to the highest bidder at the April 4, 1988 auction, for the amount of not less than \$355,000; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On February 16, 1988, the City Manager was authorized to hold a public auction for the sale of the above property. The parcel is located at the southeast intersection of Boulevard Place and Torrey Pines Road. It is irregular in shape, consisting of 8,930 square feet of vacant land in the Coastal Zone. The minimum bid of \$355,000 was established by staff appraisal and approved by City Council. The appraisal was based on comparable sales in the area, adjusting for geological hazards, unstable soils, noise from Torrey Pines Road, and small size. The Coastal Commission must approve development plans. The square footage allows for the development of a single-family dwelling unit. As a condition of the sale, an easement for storm drain purposes will be reserved. A public auction of this property is to be held in the Council Chambers on the morning of April 4, 1988, and the results of this auction are being brought forward to Council for consideration.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S RECOMMENDATION TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126, 127, AND 128. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-126: (R-88-1904) ADOPTED AS RESOLUTION R-270637

Authorizing the sale of a portion of Lot E, Block 14,
Central Homestead to the highest bidder at the April 4,
1988, auction, for the amount of not less than \$26,000;
authorizing the execution of a grant deed, granting to the
highest bidder said property; declaring that a broker's
commission shall be paid if the successful bidder is
represented by a registered broker; authorizing payment of
related expenses in accordance with the sale from the
proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On February 16, 1988,
the City Manager was authorized to hold a public auction for the
sale of the above property. The parcel is located at 36th
Street, south of Hemlock Street. It is generally level,
consisting of 21,562 square feet of vacant land in the R-3000
zone. As a condition of the sale, an easement for sewer and
drainage purposes will be retained. The minimum bid of \$26,000
was established by staff appraisal and approved by City Council.
The appraisal was based on the comparable sales approach
adjusting for drainage problems and development restrictions in
the Community Plan. A public auction of this property is to be
held in the Council Chambers on the morning of April 4, 1988,
and the results of this auction are being brought forward to
Council for consideration.

FILE LOCATION: DEED F-4412 DEEDFY88-1

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO
BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126,
127, AND 128. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-127: (R-88-1910) ADOPTED AS RESOLUTION R-270638

Authorizing the sale of a portion of Lots 8 and 9, Block 498, Dougherty's Subdivision to the highest bidder at the April 4, 1988 auction, for the amount of not less than \$12,000; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On May 18, 1987, Council reaffirmed the designation of this site for sale by public auction. The subject site was originally acquired for widening of 43rd Street. Work has been completed and the sale parcel was declared surplus. The parcel consists of 4,792 square feet and is located at the southwest corner of Epsilon and 43rd Streets in Southeast San Diego. The zoning is MF-3000, topography flat and is vacant. The zoning would allow for development of a single-family dwelling unit. The only adjacent lot is a church. An appraisal completed by staff established a minimum bid of \$12,000. This valuation was based on a comparison of similar, recently sold properties (Market Data or Comparative Approach). In accordance with Council authorization of February 16, 1988, a public auction of this property is to be held in the Council Chambers on the morning of April 4, 1988. The results of the auction are being brought forward to Council for consideration.

FILE LOCATION: DEED F-4413 DEEDFY88-1

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126, 127, AND 128. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-128: (R-88-1908) ADOPTED AS RESOLUTION R-270639

Authorizing the sale of Encanto Heights, Block 4, Lot 18, Westerly 30 feet to the highest bidder at the April 4, 1988 auction, for the amount of not less than \$10,500; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On May 18, 1987, Council reaffirmed the designation of this site for sale by public auction. The subject site is located northeasterly of Akins Avenue between 63rd and Stork Streets in the Encanto area. It is rectangular in shape, flat, vacant land comprising 3,920 square feet and zoned MF-3000 in accordance with the Southeast San Diego Community Plan. Originally acquired for water distribution purposes, it is now considered in excess of the City's needs. An appraisal completed by staff established a minimum bid of \$10,500. This valuation was based on a comparison of similar, recently sold properties (Market Data or Comparative Approach). In accordance with Council authorization of February 16, 1988, a public auction of this property is to be held in the Council Chambers on the morning of April 4, 1988. The results of the auction are being brought forward to Council for consideration.

WU-PR-88-122.

FILE LOCATION: DEED F-4414 DEEDFY88-1

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126, 127, AND 128. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-129: (R-88-1907) RETURNED TO CITY MANAGER

Authorizing the sale of Lot 8, Encanto Park Addition to Encanto Heights to the highest bidder at the April 4, 1988 auction, for the amount of not less than \$30,600; authorizing the execution of a grant deed, granting to the highest bidder said property; declaring that a broker's commission shall be paid if the successful bidder is represented by a registered broker; authorizing payment of related expenses in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On May 18, 1987, Council reaffirmed Site 813's land use designation for sale at public auction. The subject site was acquired in 1925 for water pipeline right-of-way. This lot is in excess of pipeline needs and is considered surplus. The parcel consists of 17,655 square feet and is located on the west side of Woodman Street between Madrone and Benson Avenues in the Encanto area of Southeast San Diego. The zoning is SF-5000 with a portion in the Hillside Review Zone. The topography is mostly flat, with a steep slope in front bordering Woodman Street, and is vacant. An appraisal completed by staff established a minimum bid of \$30,600. This valuation was based on a market sale comparison of similar, recently sold properties. In accordance with Council authorization of February 16, 1988, a public auction of this property is to be held in the Council Chambers on the morning of April 4, 1988. The results of the auction are being brought forward to Council for consideration.

WU-PR-88-121.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126, 127, AND 128. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-130: (R-88-1909) RETURNED TO CITY MANAGER

Authorizing the sale of Hunter's Addition, Block 3, Lots 30
and 31 to the highest bidder at the April 4, 1988, auction,
for the amount of not less than \$22,000; authorizing the
execution of a grant deed, granting to the highest bidder
said property; declaring that a broker's commission shall
be paid if the successful bidder is represented by a
registered broker; authorizing payment of related expenses
in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On May 18, 1987, Council
reaffirmed the designation of this site for sale by public
auction. The subject site consists of 6,000 square feet and is
located on the south side of Martin Avenue, west of 35th Street.
It is zoned MF-3000 (10-15 DU/Ac) which is in conformance with
the community plan's multi-family designation. This square
footage would allow development of two dwelling units, probably
a duplex. The lot is vacant and is rectangular with a rather
steep (17 percent) slope from front to rear. An appraisal
completed by staff established a minimum bid of \$22,000. This
valuation was based on a comparison of similar, recently sold
properties (Market Data or Comparative Approach). In accordance
with Council authorization of February 16, 1988, a public
auction of this property is to be held in the Council Chambers
on the morning of April 4, 1988. The results of the auction are
being brought forward to Council for consideration.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO
BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126,
127, AND 128. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-131: (R-88-1906) RETURNED TO CITY MANAGER

Authorizing the sale of Lots 14 and 15, Block 13, Marilou
Park to the highest bidder at the April 4, 1988 auction,
for the amount of not less than \$23,500; authorizing the
execution of a grant deed, granting to the highest bidder
said property; declaring that a broker's commission shall
be paid if the successful bidder is represented by a
registered broker; authorizing payment of related expenses
in accordance with the sale from the proceeds thereof.

(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: On May 18, 1987, Council
reaffirmed the designation of this site for sale by public
auction. The site is located on 40th Street near Broadway in
the Mount Hope section of Southeast San Diego. It is 9,322
square feet (0.21 acre) in size, rectangular in shape, zoned
SF-5000 and vacant. It has an irregular topography due to
dumping of fill of questionable quality. The zoning would allow
for development of one single-family unit. An appraisal
completed by staff established a minimum bid of \$23,000. This
valuation was based on a comparison of similar, recently sold
properties (Market Data or Comparative Approach). In accordance
with Council authorization of February 16, 1988, a public
auction of this property is to be held in the Council Chambers
on the morning of April 4, 1988. The results of the auction are
being brought forward to Council for consideration.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G315-321.)

MOTION BY STRUIKSMA TO APPROVE THE CITY MANAGER'S
RECOMMENDATION

TO RETURN ITEMS-125, 129, 130, AND 131 TO THE CITY MANAGER AS NO
BIDS WERE RECEIVED, AND ADOPT THE RESOLUTIONS FOR ITEMS 126,
127, AND 128. Second by Roberts. Passed by the following vote:
Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

* ITEM-132: (R-88-1913) ADOPTED AS RESOLUTION R-270640

Authorizing the sale by negotiation of a portion of Site 695 for the sum of \$4,125 to Margaret Garcia-Marmolejo; authorizing the execution of a grant deed, granting to Margaret Garcia-Marmolejo said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

(See City Manager Report CMR-88-169. San Ysidro Community Area. District-8.)

FILE LOCATION: DEED F-4418 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-133: (R-88-1914) ADOPTED AS RESOLUTION R-270641

Authorizing the sale by negotiation of a portion of Site 695 for the sum of \$6,775 to Victor M. Delgadillo and Guadalupe S. Delgadillo; authorizing the execution of a grant deed, granting to Victor M. Delgadillo and Guadalupe S. Delgadillo said property; determining that no broker's commission shall be paid by the City on said negotiated sale.

(See City Manager Report CMR-88-168. San Ysidro Community Area. District-8.)

FILE LOCATION: DEED F-4430 DEEDFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-134: (R-88-1750) ADOPTED AS RESOLUTION R-270642

Establishing a parking time limit of two hours effective between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on both sides of Kellogg Street between San Elijo Street and Rosecrans Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on Kellogg Street was petitioned by a property owner representing 100 percent of the affected frontage. Recent parking studies in the area have shown that two-hour time limit zones are needed in the area. Most of the other streets in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommend that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-135: (R-88-1751) ADOPTED AS RESOLUTION R-270643

Establishing a parking time limit of two hours effective between the hours of 8:00 a.m. and 2:00 p.m., Sundays and certain holidays excepted, on both sides of San Elijo Street between Jenkins Street and Lawrence Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Peninsula Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on San Elijo Street was petitioned by a majority of the property owners representing the affected frontage. Recent parking studies in the area have shown that two-hour time limit zones are needed in the area. Most of the other streets

in the area are posted with two-hour parking zones which receive a high level of enforcement. We recommend that this request for two-hour parking be implemented.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-136: (R-88-1752) ADOPTED AS RESOLUTION R-270644

Establishing a parking time limit of two hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of Third Avenue between Laurel Street and Maple Street; authorizing the installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This proposed two-hour time limit zone on Third Avenue between Laurel Street and Maple Street was petitioned by the San Diego Women's Club, which owns 100 percent of the affected frontage. Staff has concluded that this location qualifies for a two-hour parking restriction based upon field observations. Due to the number of high-employment facilities in the area, this location is heavily parked by all-day parkers. Therefore, a two-hour parking restriction is recommended to ensure parking turnover.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-137: (R-88-1916) ADOPTED AS RESOLUTION R-270645

Authorizing the execution of a five-year lease agreement with Adult Protective Services, Inc., for the lease of East

San Diego Adult Center at 4077 Fairmount Avenue, at a monthly rental of \$975, for the purpose of providing adult health care services to disabled seniors.

(East San Diego Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The East San Diego Adult Center building has been leased to Adult Protective Services, Inc., since March 1, 1985, under a three-year lease agreement. During the term of this lease, this lessee has paid \$300 per month in rent and as additional consideration has spent over \$25,000 on improvements to the premises. The improvements made to this property by this lessee, including the addition of a 1,000-square-foot glass-enclosed patio and a remodeled bathroom, have greatly enhanced the facility's environment for seniors who seek health and recreational services. The facility serves approximately 40 seniors a day and has become an invaluable asset to the senior community. Adult Protective Services has offered to pay \$975 per month with annual CPI adjustments during the five-year term of the proposed lease. This lessee proposes to renovate the existing heating system and install a new air-conditioning system at a cost of approximately \$10,000. It is proposed that the City will credit future rents in the amount of \$3,900. A copy of the proposed air-conditioning/heating contract is attached to the lease.

FILE LOCATION: LEAS Adult Protective Services, Inc.
LEASFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-138: (R-88-1942) ADOPTED AS RESOLUTION R-270646

Authorizing the City Manager to accept and execute an assignment of and a first amendment to the agreement with American Parking Management Corp., dba Vertical Management Systems, Inc. (VMS) and with West-Computil Corporation to collect out-of-state parking citations.

CITY MANAGER SUPPORTING INFORMATION: In 1984, the City signed a three-year contract with Vertical Management Systems (VMS) to collect out-of-state parking citations. The contract expired in September 1987, with VMS owing the City \$76,000. VMS, which has been experiencing financial difficulties, proposes to satisfy this debt in two steps. First, VMS agrees to assign their assets to West-Computil Corporation, which is a subsidiary of NUI, a large publicly traded firm based in New Jersey. In exchange for these assets (consisting of lists of outstanding tickets referred by the City up through September 1987), West-Computil will pay the City one-half of the amount owed by VMS, or \$38,000. In addition, the period for West-Computil to work these uncollected accounts will be extended through December 1988. The remaining \$38,000 owed to the City will be paid by VMS, under terms to be negotiated between the City and the principals of VMS. West-Computil is confident that they can collect a significant proportion of the outstanding tickets. In addition to offering to pay us \$38,000 upon the assignment of the contract, they are agreeing to a contingency collection fee of 30 percent vs. the 32 percent charged by VMS. If West-Computil performs satisfactorily under this agreement, the City Manager is authorized to extend the agreement to December 1989, in exchange for which West-Computil would reduce its contingency fee to 25 percent on any referrals received by them within two months of the parking violation date.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-139: (R-88-1767) ADOPTED AS RESOLUTION R-270647

Authorizing the execution of an agreement with Deloitte,
Haskins and Sells/Armando Martinez and Company to conduct
the City's audits for Fiscal Year 1988-1992; authorizing
the expenditure of an amount not to exceed \$50,000 from
General Fund Nondepartmental Expenditures (601) and \$20,000

from Water Utilities (700) (\$10,000 from Fund 41506 and \$10,000 from Fund 41500) for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement provides for the services of an outside Auditor for the City of San Diego and its agencies for the next five years. Previously the City and related entities (CCDC, SEDC, Convention Center Corporation, Data Processing Corporation, Housing Commission) secured audit services independently. This agreement reflects a consolidated effort. In accordance with Council Policy 300-7, a Request for Proposals was advertised in the Daily Transcript on November 3-4, 1987, in La Prensa on October 30, 1987, and in Voice and Viewpoint on November 5, 1987. A panel, consisting of seven members, reviewed the ten proposals submitted and interviewed three finalists. The panel recommends that Deloitte, Haskins and Sells/Armando Martinez and Company be retained to provide services as they were the lowest cost, qualified firm to provide the City and related entities with audit services.

Aud. Cert. 8800779.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-140: (R-88-1896) ADOPTED AS RESOLUTION R-270648

Authorizing the execution of an agreement with Luke-Dudek Engineering Consultants, Inc. for engineering consultant services for replacement of the South Chollas Valley Trunk Sewer; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$137,600 within the Sewer Revenue Fund 41506, from the Unallocated Reserve (70697) to the Wastewater Construction Engineering Program (70892), South Chollas Valley Trunk Sewer Project, CIP-46-143; authorizing the expenditure of an amount not to exceed \$190,600 from the Sewer Revenue Fund 41506, South Chollas

Valley Trunk Sewer Project, CIP-46-143, for the purpose of providing funds for the above project.

(Southeast San Diego Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: This agreement is for engineering services for preparation of plans and specifications for replacement of the South Chollas Valley Trunk Sewer. This project will replace approximately 11,000 feet of sewer line from the Lemon Grove/San Diego City limits at Mallard Street to the intersection of Euclid Avenue and Market Street. The existing sewer has been subject to stoppages and many portions are undersized for future peak flows. A new agreement is being sought with Lemon Grove to pay for their portion of the project, approximately 50 percent. This project was advertised in the Daily Transcript on May 1, 1987. Thirty-three letters of interest were received from consultants. Four consultants were selected for final interviews. On September 29, 1987, the Water Utilities Department interviewed the four finalists and selected Luke-Dudek Engineering Consultants, Inc. The interviews were performed in accordance with Council Policy 300-7. The following is a list of subconsultants to be used for this project, with a description of their duties, fees, and WBE or MBE applicability:

A.D. Hinshaw Associates - Environmental Report, \$9,800;

Jon Blake Surveying - Field surveying, \$7,000;

San Lo Aerial Surveys - Aerial photogrammetrical mapping, \$8,000;

Mark Balan and Associates - Electrical and instrumentation drawings, \$2,200;

MBE Ninyo and Moore - Geotechnical report, \$9,900, MBE.

The Engineer's Scope of Work includes preliminary engineering design, environmental review, preparation of construction drawings and specifications, shop drawing review, and change order evaluation.

Aud. Cert. 8800829.

WU-U-88-094.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-141: (R-88-1933) ADOPTED AS RESOLUTION R-270649

Authorizing the execution of an agreement with Owen Geotechnical for consultant services; authorizing the expenditure of an amount not to exceed \$60,000 from General Fund 100, Non-Departmental 601, and City Office Space Acquisition Program 60117, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On November 30, 1987, the City Council authorized the City Manager to proceed with planning and economical analysis for three alternative sites for the proposed Civic Center Complex. On March 7, 1988, the City Council approved a consultant agreement with Roma Design Group to provide the financial and economic analyses necessary to develop specific site and financial plan recommendations. In order to complete this plan, geotechnical information is required for determining soil characteristics, seismic fault evaluation and possible soil contamination on each of the sites. In accordance with the provisions of Council Policy 300-7, proposals were solicited and ten firms responded. The City Manager's Nominating Committee selected four firms to be interviewed. An ad-hoc selection committee composed of two members of the City Manager's staff and one each from the Engineering and Development and Building Inspection Departments interviewed the four candidate firms on March 15, 1988. Owen Geotechnical was selected.

Aud. Cert. 8800856.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-142: (R-88-1898) ADOPTED AS RESOLUTION R-270650

Authorizing the execution of an agreement with Playrite Associates for the replacement of a 6-inch cast iron water main in 44th Street; authorizing the expenditure of an amount not to exceed \$76,601 from the Water Revenue Fund 41502, Capital Improvement Program, Annual Allocation for Water Main Replacements, CIP-73-083, for the purpose of providing funds for the above project.

(Mid-City Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: As a condition of issuing a building permit for Kensington Park Garden Apartments, Mid-City Development Permit No. 86-0887, the City is requiring additional improvements. These improvements consist of the replacement of 620 feet of 6-inch cast iron water main with 10-inch AC water main and appurtenances. This water main replacement will benefit the City as a whole and, after City acceptance of the facilities, the City will reimburse the developer for the cost of the design and replacement of said water mains. City will reimburse 100 percent of the developer's cost to install the water system improvements, except that cost reimbursement shall not in any case exceed \$76,601.

Aud. Cert. 8800825.

WU-U-88-105.

FILE LOCATION: MEET CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-143:

Three actions relative to Fairbanks Country Club Unit No. 1, Reclassification of "Old" El Camino Real and Cancellation of Off-Site Improvement Agreement:
(See City Manager Report CMR-88-167. District-1.)

Subitem-A: (R-88-1775 Rev.1) ADOPTED AS RESOLUTION
R-270651

Reclassifying the road commonly known as El Camino Real and recently named Old El Camino Real as a local street between Derby Downs Road and San Dieguito Road; rescinding the agreement with Watt Industries of San Diego, Inc., on file in the Office of the City Clerk as Document No. RR-259340, adopted September 27, 1983, and releasing and relieving Watt Industries, Inc., of any obligation to provide right-of-way or realignment of what is now known as Old El Camino Real; authorizing the City Auditor to release all deposits and return all unused funds on deposit with the City by Watt Industries, Inc., for the work proposed on Old El Camino Real.

Subitem-B: (R-88-1776) ADOPTED AS RESOLUTION R-270652
Authorizing the City Manager to execute a Notice of Completion and Acceptance of Subdivision Improvement Agreement for Fairbanks Country Club Unit No. 1.

Subitem-C: (R-88-1777) ADOPTED AS RESOLUTION R-270653
Certifying that the information contained in Environmental Negative Declaration END-87-0647, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

FILE LOCATION: SUBD Fairbanks Country Club Unit No. 1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-144: (R-88-1764) ADOPTED AS RESOLUTION R-270654

Approving Change Order No. 1, issued in connection with the contract with E.V.H. Inc. and Associates for the construction of Northeastern Area Police Station; approving said Change Order amounting to a net increase in the contract price of \$47,760.

(Penasquitos East Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This contract is for construction of a standard 16,500 square foot Police Department substation with 5,200 square foot service garage. Construction started in November 1987 and is the fourth in a series of substations utilizing a common design. San Diego Data Processing, Telecommunications Division, now requires 320 square feet of floor area be added to the substation for housing additional telephone, microwave communications, and data processing equipment. This equipment is necessary as part of the new City-owned communications network, and was not included in the original building design. Police Department communications requirements have expanded beyond the ability of the designated telephone equipment room to accommodate the equipment. The addition has been planned to blend into the original building style using the same materials and colors. Aud. Cert. 8800793.

FILE LOCATION: CONT E.V.H. Inc. and Associates and W.O.
118584 CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-145: (R-88-1897) ADOPTED AS RESOLUTION R-270655

Approving Change Order No. 6, dated February 5, 1988, issued in connection with the contract between the City of San Diego and Weardco Construction Corporation for the Pump Station No. 64 Expansion Project; approving said change order amounting to a net increase in the contract price of \$142,186.54.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The construction contract for the Sewer Pump Station No. 64 was awarded to Weardco Construction Company on December 15, 1986, Resolution R-267342, in the amount of \$8,474,000. To date five (5) previous change orders have been approved for a total amount of

\$456,191.03 or 5.3 percent of the original construction cost. Of these, \$320,000 is an incentive bonus for early completion of the construction work. Change Order No. 6 is for the additional work performed by the contractor to hi-line the existing inflow pipe to the station. During the construction of a major connection between the new screening structure and the old wet well structure, the contractor discovered a section of the 48-inch diameter R.C.P. was leaking through several longitudinal cracks along the pipe and the joint where the pipe was connected to the wall of the pump station. It was not feasible to shut down the pump station for a long period of time to remove or repair this leaky pipe. To meet the compliance schedule with the Regional Water Quality Control Board and in order to eliminate any possible sewage spills that may occur due to further excavation, the contractor was directed to hi-line with a 48-inch diameter steel pipe between the existing junction structure and the wet well. This by-pass system allowed the contractor to replace the damaged section of the 48-inch R.C.P. and grout the joints. The work was performed between 9:00 p.m. and 7:00 a.m. which is the low flow period to the station. After the new tunnel was constructed per plans, the contractor removed the hi-line and transported the steel pipe to City yard for future use.

Aud. Cert. 8800824.

WU-U-88-111.

FILE LOCATION: CONT Weardco Construction Corporation
CONFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-146: (R-88-1769) ADOPTED AS RESOLUTION R-270656

Approving Change Order No. 4, dated December 22, 1987, issued in connection with the contract with L. J. Duarte, Inc., for Water Main Replacement Group 449; approving said Change Order amounting to a net increase in the contract price of \$5,617.40.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The construction contract for Water Main Replacement Group 449 was awarded to L. J. Duarte, Inc., on July 31, 1986. The amount of the original contract was \$695,569. Prior change orders have totaled \$71,540. Change Order No. 4, the final for this project, is for a total increase of \$39,225.80 and a total decrease of \$33,608.40, resulting in a net increase of \$5,617.40. The total increase for this and prior change orders is for the upgrading of substandard water services, identified during construction, to current specifications. The total decrease resulted from the deletion of 478 feet of pipe from the project. Change orders account for 10 percent of the final construction cost. A ten-day time extension is also requested for completing the upgrading of substandard services.

Aud. Cert. 8800816.

WU-U-88-107.

FILE LOCATION: CONT L.J. Duarte, Inc. CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-147: (R-88-1604) ADOPTED AS RESOLUTION R-270657

Authorizing the City Manager to implement the Ocean Beach Commercial Revitalization Rebate Program; authorizing the expenditure of an amount not to exceed \$100,000 from Fund 18523, Department 5633, Organization 3311, for such rebate program.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: The Commercial Revitalization Rebate Program envisioned for Ocean Beach is similar in concept to the current program underway in Mid-City. The storefront improvements will include a combination of painting, signage, awnings, landscaping and other facade improvements consistent with design guidelines being developed

for the Ocean Beach Commercial Revitalization District. The guidelines will promote creativity in the use of colors and designs, while fostering approaches that are integral and compatible with neighborhood commercial establishments. The program will target six blocks in Ocean Beach, between Abbott and Sunset Cliffs Boulevard on Santa Monica, Newport, and Niagara. Past experience indicates an average of about \$3,000 in City assistance is required per storefront improvement. Aud. Cert. 8800724.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-148: (R-88-1771) ADOPTED AS RESOLUTION R-270658

Declaring that the City of San Diego shall participate in the City/County Manager's Association Legislative Coalition and that the Director of the Intergovernmental Relations Department be the City of San Diego's representative.
(See Intergovernmental Relations Department Report IRD-88-4.)

COMMITTEE ACTION: Reviewed by RULES on 3/2/88. Recommendation to adopt the Intergovernmental Relations Department (IRD) recommendations to: approve the City's participation in CCMA; adopt CCMA's legislative guidelines and legislative platform; and direct IRD to represent the City on CCMA. Districts 1, 2, 7 and Mayor voted yea. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-149: (R-88-1945) ADOPTED AS RESOLUTION R-270659

Declaring that the Interim Development Ordinance is in full force and effect and that Resolution R-269964 is in full force and effect; declaring that Pardee Construction Company ("Pardee") will be issued 504 building permits for their Rancho Penasquitos East property; declaring that in reaching its decision, the Council made the following findings:

1. Pardee obtained approval of a vesting tentative map ("VTM") and a planned residential development ("PRD") permit on February 10, 1987, for its 504-unit development at Rancho Penasquitos East.
2. Pardee has expended more than \$3 million in improvements to the property and is ready to build.
3. Unit occupancy may not commence until State Route 56 from Rancho Penasquitos Boulevard to Interstate I-15 and the High Occupancy Vehicle lanes from Route 56 to Route 163 are completed and fully operational.
4. Subject to normal permit processing and compliance with normal on-site requirements of the Building Code, Pardee will receive 252 permits for its Sun Ridge Vista Unit Four, number one vesting tentative map project and 126 building permits each on August 15, 1988 and February 15, 1989.
5. The City of San Diego and Pardee Construction Co. have entered into these and other terms of settlement as enumerated in the letter from Pardee to the San Diego City Attorney dated February 17, 1988.

Declaring that the decision of the City Council shall be final.

(See the letter from Pardee Construction Company to the City Attorney dated 2/17/88.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: F299-G218.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-170: (R-88-1899) ADOPTED AS RESOLUTION R-270660

(Continued from the meeting of March 21, 1988, Item S412, at Mayor O'Connor's request, to allow time to be heard by the Charter Review Committee.)

Authorizing the City Attorney to execute a letter agreement with Robert S. Teaze for the purpose of providing legal consultant services to the Charter Review Committee.

(See memorandum from Mayor O'Connor dated 3/14/88.)

COMMITTEE ACTION: Initiated by RULES on 3/16/88.

Recommendation to enter into an agreement with Robert Teaze for consultant services to the Charter Review Committee.

Districts 1, 2, 3, 7 and Mayor voted yea.

FILE LOCATION: MEET CCONFY88-1

COUNCIL ACTION: (Tape location: G321-337.)

MOTION BY STRUIKSMA TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-200: (O-88-25 Rev. 1) RE-INTRODUCED, TO BE ADOPTED APRIL
25, 1988

(Continued from the meetings of January 4, 1988, Item 52, March 7, 1988, Item 200, and March 21, 1988, Item 200; last continued at the City Manager's request, to finalize negotiations with the jitney industry.)

Amending Chapter VII, Article 5, Division 6, of the San Diego Municipal Code by amending Sections 75.0602, 75.0603, and 75.0604 relating to jitney routes, jitney operating regulations and jitney loading zones.

(Introduced on 11/30/87. Council voted 5-1. District 2 voted nay. District 1 and Mayor not present. District 4 vacant.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B528-529.)

MOTION BY STRUIKSMA TO RE-INTRODUCE. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-88-1538) ADOPTED AS RESOLUTION R-270661

(Continued from the meeting of March 21, 1988, Item 100, due to lack of time.)

Awarding contracts for furnishing and delivering gasoline and diesel fuel, as may be required for a period of one year beginning April 1, 1988 through March 31, 1989, for a total cost of \$2,161,000, with an option to renew the contracts for an additional one-year period, as follows:
(BID-9469)

- 1) Cosby Oil Company, Inc. for Section I - Truck/Trailer Deliveries of Regular Unleaded Gasoline and Regular Leaded Gasoline; Section II - Truck/Trailer Deliveries of No. 2 Diesel Fuel.
- 2) San Diego Petroleum Corporation for Section III - Tank/Wagon Deliveries of Regular Unleaded Gasoline, Regular Leaded Gasoline and Premium Unleaded Gasoline, and Section V - No. 1 Diesel Fuel.

Authorizing the Purchasing Agent to purchase gasoline and diesel fuel on the open market if the regular suppliers are unable to deliver fuel in case of fuel shortages or for other reasons.

CITY MANAGER SUPPORTING INFORMATION: The apparent low bidder, Wright Companies, for Section I - Truck/Trailer Deliveries of Gasoline; Section II - Truck/Trailer Deliveries of No. 2 Diesel Fuel; Section III Tank/Wagon Deliveries of Leaded Regular Gasoline, Unleaded Regular Gasoline and Unleaded Premium Gasoline; and Section V - No. 1 Diesel Fuel, is not recommended for award as there were charges of deceptive labelling and misrepresentation of product made against the company. On December 9, 1987, the City's Consumer Fraud Division of the City Attorney's Office filed fifty-seven (57) misdemeanor counts against Wright Oil Co. and William P. Wright, the Chief Executive Officer of Wright Oil Co. The allegations are that

there were octane and distillation violations made in dispensing of fuel at service stations owned by the Company. Mr. Wright pleaded no contest to ten (10) counts and was fined \$11,000.00 and given three (3) years probation. He admitted selling gasoline which failed to meet ASTM's specifications and to selling gasoline without disclosing the presence of alcohol in the product. There is a stipulation in the General Provisions of the bid specifications that a bidder must disclose any pending litigation against the company involving the product or services. The charges were filed on December 9, 1987, and the fuel bid did not open until February 3, 1988. The company was aware of the charges when the bid to the City was submitted and failed to disclose the charges. As a result of this failure to disclose, the nature of the charges and the admission of the Chief Executive Officer, the Manager recommends rejecting the bid and awarding to the second low bidder. In addition, such charges would be grounds for debarment pursuant to San Diego Municipal Code 22.0514.

FILE LOCATION: MEET CONFY88-1

COUNCIL ACTION: (Tape location: B358-516.)

MOTION BY STRUIKSMA TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-88-1718) ADOPTED AS RESOLUTION R-270662

Authorizing the execution of an amendment to the Subdivision Improvement Agreement with H. G. Fenton Material Company for the installation and completion of public improvements in the subdivision to be known as Mission Valley Heights.

(Serra Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On September 10, 1984, the City entered into a Subdivision Improvement Agreement (Deferred Improvement Development) with H. G. Fenton Material Company, a California corporation, for the future construction of public improvements for Mission Valley Heights. The agreement expired on September 10, 1986. On September 8, 1986,

a time extension was granted to September 10, 1987, by Resolution R-266504. On January 4, 1988, a second time extension to September 10, 1988, was approved. Subdivider is now requesting an amendment to his agreement which would allow the public improvements to be completed through an assessment district. The request to form a district is anticipated to be before the Council in three or four months. This amendment, however, does not relieve the subdivider of the obligation of completing the improvements if an assessment district is not formed.

FILE LOCATION: SUBD Mission Valley Heights
CONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.

Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-88-1568 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-270663

19880404

(Continued from the meetings of February 16, 1988, Item 200 and March 14, 1988, Item 204; last continued at the City Manager's request, so that the agreements can be docketed at the same time as a third agreement on that date.)

Granting an extension of time to September 16, 1989, to Ticor Title Insurance Company, subdivider, to complete the improvements required in La Jolla Alta Planned Residential Development Unit No. 12.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 16, 1985, the City entered into an agreement with Ticor Title Insurance Company of California for the construction of public improvements for La Jolla Alta P.R.D. Unit No. 12. The agreement expired on September 16, 1987. The subdivider has requested a time extension to September 16, 1989. It is recommended that the time extension be granted since the

improvements to be delayed are not necessary to service adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD La Jolla Alta Planned Residential
Development Unit No. 12

COUNCIL ACTION: (Tape location: D363-375.)

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 203 AND 204 AS AMENDED TO CHANGE THE DATE FOR THE EXTENSION OF TIME TO MARCH 19, 1989, AT THE CITY MANAGER'S REQUEST FOR THE DATE TO BE THE SAME AS FOR THE IDO. Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-204: (R-88-1460 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-270664

19880404

(Continued from the meetings of February 2, 1988, Item 204 and March 14, 1988, Item 205; last continued at the City Manager's request, so that the agreement can be docketed at the same time as a third agreement on that date.)

Granting an extension of time to September 16, 1989 to Ticor Title Insurance Company of California, subdivider, to complete the improvements required in La Jolla Alta Planned Residential Development Unit No. 13.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On September 16, 1985, the City entered into an agreement with Ticor Title Insurance Company of California for the construction of public improvements for La Jolla Alta P.R.D. Unit No. 13. The agreement expired on September 16, 1987. The subdivider has requested a time extension to September 16, 1989. The extension of Cardeno Drive to connect to Fanuel Street is included in the improvement agreement for this unit. The question as to whether or not the connection should be made was discussed by Transportation and Land Use Committee on January 26, 1987 and

referred to the Planning Department to perform an environmental review. The environmental report has been completed and the issue will be before the Planning Commission for consideration early in 1988. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to service adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUBD La Jolla Alta Planned Residential
Development Unit No. 13

COUNCIL ACTION: (Tape location: D363-375.)

MOTION BY WOLFSHEIMER TO ADOPT ITEMS 203 AND 204 AS AMENDED TO APPROVE THE EXTENSION OF TIME TO MARCH 19, 1989, AT THE CITY MANAGER'S REQUEST FOR THE DATE TO BE THE SAME AS FOR THE IDO.

Second by McColl. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-205: (R-88-1873) ADOPTED AS RESOLUTION R-270665

(Continued from the meeting of March 21, 1988, Item S411, at Mayor O'Connor's request, to allow time to be heard by the Charter Review Committee.)

Authorizing the City Auditor and Comptroller to transfer the sum of \$50,000 from the General Fund 100, Unallocated Reserve (605) to the Allocated Reserve (901) for the sole and exclusive purpose of defraying expenses associated with support for an operation of the Charter Review Committee to consist of \$12,500 in Personnel Services related to services of an Executive Secretary and \$37,500 for Non-Personnel Services to include an allocation for outside legal counsel services.

COMMITTEE ACTION: Reviewed by RULES on 3/16/88. Recommendation to approve the funding. Districts 1, 2, 3, 7 and Mayor voted yea.

CITY MANAGER SUPPORTING INFORMATION: The Charter Review Committee, proposed by the Mayor, will require office space, clerical support and will incur operating expenses. It is estimated that the space rental and support for a six month period will be approximately \$50,000.

Aud. Cert. 8800836.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G340-343.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-206: (R-88-1703) ADOPTED AS RESOLUTION R-270666

Authorizing the City Manager to establish 30 percent as the percentage rent due to the City under City leases for income to lessees resulting from commissions received from the sale of lottery tickets.

CITY MANAGER SUPPORTING INFORMATION: Currently the City collects 7 to 10 percent of the gross dollar amount from the sale of lottery tickets while the lessees receive only 5 percent of the gross as a commission from the State for selling lottery tickets. Therefore, those lessees who are selling lottery tickets have stopped offering them to their customers. The City lease agreements are clear in their requirement that percentage rent is to be paid upon gross income rather than commission. The State Lottery Act provides that only the commission can be charged rent; however, the City Attorney has opined that the State does not have the authority to modify the private negotiated lease rental arrangements without consent of the City and its lessees. In fairness to the lessees, therefore, it is proposed to authorize the City Manager to establish an appropriate rate of 30 percent due to the City from all authorized lottery ticket sales commissions under various City leases and subleases.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: CONTINUED TO APRIL 12, 1988, 2:00 P.M.

Three actions relative to the North University City:

Subitem A - Continued from the meetings of February 16, 1988, Item 331 and March 7, 1988, Item 213; last continued at the City Manager's request, to allow the community planning group to review the transportation phasing plan.)

Subitem-A: (R-88-921)

Designating an area of benefit in North University City and the boundaries thereof, confirming the description of Public Facilities Projects, the Community Financing Plan and Capital Improvement Program with respect to the Public Facilities Projects, the method for apportioning the costs of the Public Facilities Projects among the parcels within the area of benefit and the amount of the Facilities Benefit Assessments charged to each such parcel, the basis and methodology for assessing and levying discretionary automatic annual increase in Facilities Benefit Assessments, and proceedings thereto, and ordering of proposed Public Facilities Projects in the matter of the North University City Facilities Benefit Assessment Area. (See City Manager Report CMR-87-542. North University City Community Area. District-1.)

Subitem-B: (R-88-1895)

Adoption of the North University City Public Facilities Phasing Plan as a part of the North University City Public Facilities Financing Plan. The Phasing Plan proposes a program of threshold levels for future development which will coordinate further build-out of the community with public facilities development thus ensuring adequate public facilities availability at the time of need.

Subitem-C:

Matter of the release of the University Community from the requirements of the Interim Development Ordinance based on

the criteria adopted by the City Council. These criteria include completion of an analysis of community and regional public facilities needs based on full build-out of the Community, and analysis of level of service standards for each public facility, and a financing and phasing plan for the provision of public facilities based on the build-out of the community.

FILE LOCATION: STRT FB-1

COUNCIL ACTION: (Tape location: B223-265.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 12, 1988, AT THE REQUEST OF GEORGE LATTIMER. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-208:

Two actions relative to the extension of Cardeno Drive to Fanuel Street:

(See City Manager Report CMR-88-143. La Jolla Community Area. District-1.)

Subitem-A: (R-88-1761) ADOPTED AS RESOLUTION R-270667

Expressing the San Diego City Council's intention to continue to require that La Jolla Alta Unit 13 connect Cardeno Drive to Fanuel Street.

Subitem-B: (R-88-1754) ADOPTED AS RESOLUTION R-270668

Certifying that the information contained in Environmental Impact Report EIR-87-0244, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and that said report has been reviewed and considered by the Council.

COMMITTEE ACTION: Reviewed by TLU on 1/26/87. Recommendation to refer to the Planning Department for environmental review and forward to City Council for action when the review is completed.

Districts 1, 4, 6 and 8 voted yea. District 7 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B070-183, B529-D363.)

A request for a continuance was made by Council Member Henderson's office. Request was not granted.

Hearing began 3:30 p.m. and halted 4:43 p.m.

Testimony in favor by Ralph Schuler, Marilyn Ackrody, Roger Wiggins, Bill Rathbone, Walter Greenwood and Norman Hahn.

Testimony in opposition by Judith Wesling, Emmett Back, James Pierik, Marsha Ingersoll, and Jacques Rambaud.

MOTION BY WOLFSHEIMER TO ADOPT SUBITEMS A AND B AND DIRECT THE CITY MANAGER TO REQUEST TECHBILT TO COMPLETE THE ROAD AND MAKE AN AGREEMENT WITH THE DEVELOPER TO GO FORWARD WITH THE TRAFFIC LIGHT. Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,
Mayor O'Connor-yea.

ITEM-209: (O-88-159) INTRODUCED AND ADOPTED AS ORDINANCE
O-17055 (New Series)

(Continued from the meeting of March 22, 1988, Item S500,
at Chuck Woolever's request, since the first public hearing
was trailed from March 21, 1988 to March 22, 1988.)

Introduction and adoption of an Ordinance amending O-16916
(New Series), as amended, entitled "An Ordinance Adopting
the Annual Budget for the Fiscal Year 1987-88 and
Appropriating the Necessary Money to Operate the City of
San Diego for said Fiscal Year" by amending Document No.
OO-16916-1, as amended and adopted therein, by amending and
adding to the personnel authorization of the Planning
Department (065) Program Element 06541, one-quarter (0.25)
Senior Planner position; authorizing the City Auditor and
Comptroller to transfer the sum of \$18,813 within the
General Fund 100 from the Unallocated Reserve (605) to the
Planning Department (065) Program Element 06541, for the
above position, allocating \$12,043 to Personnel Services,
\$2,870 for overtime, and \$3,900 for non-personnel expenses,
all related to amending the La Jolla Planned District
Ordinance.

CITY MANAGER SUPPORTING INFORMATION: On Tuesday, March 15,
1988, the City Council directed the Planning Director to prepare

and place on the Council Docket of March 21, 1988 an Appropriation Ordinance Amendment providing the necessary funds to immediately commence revisions to the la Jolla Planned District Ordinance (PDO). This ordinance will provide funding (\$18,813) for .25 Senior Planner, overtime and pool help, and related non personnel services. The work to be performed shall include analysing PDO revisions proposed by the City Council relating to reducing floor area ratio, deemphasizing commercial development, reducing residential densities, and reducing the height limit. The work shall require 60 days preceding a Council Hearing, and 30 days thereafter for follow-up tasks. Aud. Cert. 8800847.

NOTE: The first public hearing of this Ordinance was held on Tuesday, March 22, 1988, Item S410. Today's action is the second public hearing for the introduction and adoption of the Ordinance.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G345-353.)

MOTION BY STRUIKSMA TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-210: RETURNED TO CITY MANAGER

In the matter of the review of the public participation component in the professional services agreement with James M. Montgomery Program Management.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B189-200)

MOTION BY STRUIKSMA TO RETURN TO THE CITY MANAGER TO REDOCKET AT THE REQUEST OF THE CITY MANAGER. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-211:

Two actions relative to the Scripps Miramar Ranch Branch
Library - Consultant Services:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (O-88-157) FIRST HEARING APPROVED

First public hearing in matter of:

Amending Ordinance O-16916 (New Series), as amended,
entitled "An Ordinance Adopting the Annual Budget for the
Fiscal Year 1987-88 and Appropriating the Necessary Money
to Operate the City of San Diego for Said Fiscal Year" by
amending Document No. 00-16916-1, as amended, by increasing
the Capital Improvement Program, CIP-35-060.0, entitled
"Scripps Miramar Ranch Branch Library," by transferring
\$186,000 from the Scripps Miramar Ranch Public Facilities
Impact Fee Fund Number 39058 to CIP-35-060.0.

NOTE: See Item 337 on the docket of Tuesday, April 5, 1988, for
the introduction and adoption of the Ordinance.

Subitem-B: (R-88-1780) ADOPTED AS RESOLUTION R-270669

Authorizing the execution of an agreement with Ralph
Bradshaw/Richard Bundy and Associates, to provide
consultant services for the Scripps Miramar Ranch Branch
Library; authorizing the expenditure of an amount not to
exceed \$186,000 from CIP-35-060.0, Scripps Miramar Ranch
Public Facilities Impact Fee Fund No. 39058, for the
purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: This proposed agreement
with Ralph Bradshaw/Richard Bundy & Associates will provide the
professional services required to provide a master plan for a
20,000 square foot library and the services required to design
and construct a 10,000 square foot library expandable to 20,000
square feet at a future date. This branch will serve both
Scripps Miramar Ranch where it is located, and the Miramar Ranch
North communities. It will replace the existing storefront
library in Scripps Ranch. The proposed library will incorporate
"Mission Revival" style architecture and many of the features of

the Meanley Ranch House, which formerly occupied this site. An approved Development Agreement requires developer to provide City with an 8.2 acre improved area around an existing pond, complete with landscaping, pathways, benches and other public amenities including the two acre library site. City's consultant will coordinate design with developer's improvements to achieve compatibility. This project is identified in, and is consistent with, the Scripps Miramar Ranch Community Plan and is in accordance with the City's General Plan Guidelines. The selection of this consultant was made in accordance with Council Policy 300-7, and has been reviewed by the Personnel Director and the Equal Opportunity Program Coordinator. Subconsultants approved to assist with the project include Stedman/Dyson (Structural 12.0 percent), Randall/Lamb & Assoc. (Electrical 8.0 percent), Steuven & Assoc. (Mechanical 9.2 percent), Hall Engineers (Civil 2.9 percent), and Land Studio (Landscape 4.0 percent).

Aud. Cert. 8800771.

FILE LOCATION:

Subitem-A --,

Subitem-B MEET

CCONTFY88-1

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO APPROVE THE FIRST HEARING FOR SUBITEM-A AND ADOPT THE RESOLUTION FOR SUBITEM-B. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-212: (O-88-152) FIRST HEARING APPROVED

First public hearing in the matter of:

Amending Ordinance O-16916 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1987-88 and Appropriating the Necessary Money to Operate the City of San Diego for Said Fiscal Year" by amending Document No. 00-16916-1, as amended and adopted

therein, by transferring the amount of \$182,575 from the Industrial Development Revenue Bond Administrative Expense Fund to the Mid-City Facade Improvement Rebate Program (in the amount of \$88,575) and the Ocean Beach Commercial Revitalization Rebate Program (in the amount of \$94,000); transferring the amount of \$88,575 from the Mid-City Facade Improvement Rebate Program to the Enterprise Zone Developer Fee Reimbursement Program; transferring the amount of \$94,000 from the Ocean Beach Commercial Revitalization Rebate Program to the Enterprise Zone Developer Fee Reimbursement Program; authorizing the expenditure of funds so allocated.

(Ocean Beach, Mid-City, Barrio Logan, Southeast San Diego and Centre City Community Areas. Districts-2, 3, 4 and 8.)

CITY MANAGER SUPPORTING INFORMATION: In previous actions, the City Council has allocated Community Development Block Grant (CDBG) Funds for the Mid-City Facade Improvement Rebate Program, the Ocean Beach Commercial Revitalization Rebate Program, and the Enterprise Zone Developer Fee Reimbursement Program. Each of these programs reimburse certain costs for improving program area properties, as incentives for private investment. Subsequent to Council allocations, the City was advised that use of CDBG funds for these purposes would impose administrative burdens on the business and property owners for whom the programs were designed. In most cases, the costs imposed by these administrative requirements exceeded the financial incentives. For the Enterprise Zone, alternative financing in the form of the Industrial Development Revenue Bond Administrative Expense Fund was allocated by the Council, with the CDBG allocation returned to contingencies. For Mid-City, the original 1984 CDBG allocation was switched with a CDBG-eligible capital improvement program financed by sales tax money. That allocation is almost expended. For both Mid-City and Ocean Beach, the 1987 CDBG allocations remain to be authorized for expenditure. In August 1987 the U.S. Department of Justice issued new rulings on the applicability of administrative requirements associated with CDBG funds. The City sought a letter opinion on how the new ruling affects the Mid-City, Ocean Beach, and Enterprise Zone Programs. Under the

new ruling, the Enterprise Zone Fee Reimbursement program can be financed by CDBG funds without imposing administrative burdens, but the two Improvement Rebate programs are not exempted from the requirements. Consequently, it is recommended that the CDBG funds previously allocated but unused for the Mid-City and Ocean Beach program be transferred for use by the Enterprise Zone, and a like amount of Industrial Development Bond Fund now financing the Enterprise Zone be transferred into the Mid-City and Ocean Beach Rebate programs.

Aud. Cert. 8800780.

NOTE: See Item 336 on the docket of Tuesday, April 5, 1988, for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO APPROVE THE FIRST HEARING. Second by Struiksmā. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmā-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S400: (R-88-1964) ADOPTED AS RESOLUTION R-270670

Authorizing the City Auditor and Comptroller to add CIP-22-073, De Anza Boat Dock, to the FY 1988 Capital Improvements Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 from CIP-22-060, Coastal Division Headquarters, (Mission Bay Revenue Fund No. 10504), to CIP-22-073, De Anza Boat Dock; authorizing the expenditure of an amount not to exceed \$25,000 from CIP-22-073, De Anza Boat Dock, for the purpose of providing funds for the reconstruction of De Anza Dock.

(Mission Bay Park Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: The January 17, 1988 storm severely damaged the public boat dock in De Anza Cove, Mission Bay Park. The dock is a public safety hazard and has been closed to the public since the storm. The Park and Recreation Department was recently notified that it would receive a Department of Boating and Waterways grant to replace

this dock. However, the timetable will not allow construction to begin until August, 1989. Therefore, in the interim, reconstruction of the damaged portion of the dock, in an amount not to exceed \$25,000, is an emergency public safety measure. Aud. Cert. 8800872.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B223-286.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Struiksma.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: (R-88-1949) ADOPTED AS RESOLUTION R-270671

Declaring by the Council of the City of San Diego the following:

1. Amending Resolution R-269812, dated November 23, 1987, to change the title of the Committee created therein from "City Charter Review Committee" to "San Diego City Charter Review Commission - '88";
2. Confirming the following appointments by the Mayor to serve as members of said Commission:

COUNCILMEMBER

MAYORAL APPOINTMENTS RECOMMENDATIONS REPRESENTING

Edward T. Butler - Chairman	Art Madrid	District 1
David J. Dorne	Scott Harvey	District 2
Marina P. Grant	James S. Milch	District 3
Rachel Ortiz	Ken Seaton-Msemaji	District 4
Ronald L. Ottinger	Jim Johnson	District 5
Lillian Lim Quon	Sam L. Wilhite	District 6
John R. Wertz	Jeanette Roache	District 7
	Neil Good	District 8

3. Waiving the provisions of Council Policy 000-13 relating to City residency after review and determination that the special expertise possessed by some nominees requires a conscious exception therefrom.
4. Acknowledging and declaring that all recommendations made by the Commission shall be placed directly on the ballot without further Council directive except for

those legislative actions required by the State Elections Code, the City Charter and applicable provisions of the San Diego Municipal Code to place the matters on the ballot.

5. Acknowledging that said Commission may seek to place some of its recommendations on the November 1988 ballot, with possible further recommendations to be presented to the electorate in 1989 and, in accordance therewith, fully accepts and authorizes such actions.
6. Selecting Robert S. Teaze, attorney-at-law, to serve as special independent counsel to the Commission, said service to be more fully explicated by letter agreement authorized by separate Council action.

COMMITTEE ACTION: Initiated by RULES on 3/16/88.

Recommendation to approve the appointments to the Charter Review Commission '88. Districts 1, 2, 3, 7 and Mayor voted yea.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A189-B066.)

MOTION BY PRATT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S402: (R-88-1717 Rev.1) ADOPTED AS AMENDED AS RESOLUTION
R-270672

19880404

Authorizing the City Manager to direct the Park and Recreation Department to operate the San Ysidro Community Activity Center as a community recreation center; authorizing the City Manager to negotiate a lease agreement with Casa Familiar for partial occupancy of the Center to operate social service programs compatible with a recreation center.

(See City Manager Report CMR-88-92. San Ysidro Community Area. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 2/10/88. Recommendation to adopt the City Manager's recommendation. Districts 6, 7 and 8 voted yea. Districts 1 and 5 not present.

NOTE: See Item S403 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D379-F260.)

Motion by Filner to accept the City Manager's recommendation that the City continue to operate the Boys Club, direct the City Manager to investigate the feasibility and fiscal impact of contracting the operation of the San Ysidro Recreation Center to a non-profit organization, including discussions with United Way regarding potential funding, including a joint RFP and appropriate review and selection mechanism, direct the City Manager to solicit input from the San Ysidro Park and Recreation Advisory Council and Southern Area of the Park and Recreation Board regarding future use of the facility, and present the findings to the Park and Recreation Board and the PFR Committee for their consideration. Second by McCarty. Failed by the following vote: Wolfsheimer-nay, Roberts-nay, McColl-nay, Pratt-nay, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-nay.

BY COMMON CONSENT THE MEETING WAS EXTENDED PAST 5:30 P.M. BY THE FOLLOWING VOTE: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY WOLFSHEIMER TO ADOPT RESOLUTION AS AMENDED TO DIRECT THE CITY MANAGER TO NEGOTIATE EXCLUSIVELY WITH CASA FAMILIAR TO PLAN THE SOCIAL SERVICES PROGRAMS AT THE PARK FACILITY IN SAN YSIDRO AS OPERATORS, DIRECT THE CITY MANAGER TO BRING BACK TO PFR FOR REVIEW AN OPERATING PLAN THAT IS CONSISTENT WITH THE EXISTING OPERATION PLUS ANY ADDITIONS, THAT THE PARK AND RECREATION DEPARTMENT CONTINUE TO RUN THE BOYS CLUB AND THE COMMUNITY FACILITY, AND TO WORK WITH UNITED WAY FOR POSSIBLE FUNDING. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-nay, Filner-nay, Mayor O'Connor-yea.

ITEM-S403: DISCUSSION HELD

In the matter of the San Ysidro Community Park and Recreation Center.

NOTE: See Item S402 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D379-F260.)

THIS ITEM WAS CONSIDERED AS ITEM-S402.

ITEM-S404: CONTINUED TO APRIL 11, 1988

Two actions relative to La Jolla Centre II, Rezone 87-0855
(Extension to Rezone No. 84-0156):
(See Planning Department Reports PDR-88-114, PDR-88-049 and
Environmental Mitigated Negative Declaration EMND-84-0156.
Case-87-0855. University Community Area. District-1.)

Subitem-A: (O-88-181)

Introduction of an Ordinance incorporating a portion of
Pueblo Lot 1307 (approximately 5.0 acres) located east of
Towne Centre Drive, between La Jolla Village and Executive
Drives, into CO (HR) Zone, as defined by Sections 101.0423
and 101.0454 of the San Diego Municipal Code, and repealing
Ordinance O-13455, adopted February 15, 1932, of the
Ordinances of the City of San Diego.

Subitem-B: (R-88-1967)

Adoption of a Resolution certifying that the information
contained in Environmental Mitigated Negative Declaration
EMND-84-0156, has been completed in compliance with the
California Environmental Quality Act of 1970, as amended,
and State Guidelines, and that said report has been
reviewed and considered by the Council.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G223-297.)

MOTION BY WOLFSHEIMER TO CONTINUE TO APRIL 11, 1988, AT HER
REQUEST FOR FURTHER REVIEW. Second by McCarty. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-not
present, Pratt-yea, Struiksma-yea, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

NONE.

PUBLIC COMMENT:

ITEM-PC-1:

Public comment by Rose Lynn.

FILE LOCATION: Agenda

COUNCIL ACTION: (Tape location: G369-400.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 6:50 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: G406).